

120-mj-00109-CL

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF CALIFORNIA

CM/ECF Case No. 3:17-PO-00523-CMK

United States of America

v.

OVERBY, SHANE P
123 ALMOND ST

MEDFORD, OR 97504

Defendant

Location.Code(s)/Violation Number(s)		Violation Date(s)
CA48	F4940327	08/08/2017
	F4940328	08/12/2017
Offense(s)		Amount Due
Unattended Campfire - 36 CFR 261.52(a)		\$3,000.00
Build, maintain, attend illegal campfire 36 CFR 261.52(a)		

ARREST WARRANT

To: Any authorized law enforcement officer

There is probable cause to issue this warrant for the arrest of the person identified above.

YOU ARE COMMANDED to arrest and bring this defendant before the nearest available United States magistrate judge without unnecessary delay to answer to these charge(s).

If the defendant has paid the amount due, you may return this warrant unexecuted.

Date and time issued: 10/10/2017 9:00 a.m.*Judge's Signature***HON CRAIG M KELLISON**

Return

Received	Date:	Location:

Executed by the arrest of the defendant.

Arrested	Date:	Location:

Name: _____ Title: _____ District: _____

Date: _____ Signature: _____

United States District Court
Violation Notice

CVB Location Code

CA48

Violation Number F4940327	Officer Name (Print) D. Potter	Officer No. 1909
YOU ARE CHARGED WITH THE FOLLOWING VIOLATION		
Date and Time of Offense (mm/dd/yyyy) 8/8/17 1756	Offense Charged 36 CFR 261.52(a)	
Place of Offense NF 1040 MY 2.5		

Offense Description:

Building, Maintaining
a fire during restrictions

DEFENDANT INFORMATION			
Phone: () 551 0027			
Last Name Overby	First Name Shane	Middle Initial P	
Street Address 123 ALMOND ST			
City MEDFORD	State OR	Zip Code 97504	Date of Birth (mm/dd/yyyy) 6/6/75
Drivers License No. 6004182	D.L. State OR	Social Security No. 541087435	
<input checked="" type="checkbox"/> Adult <input type="checkbox"/> Juvenile	Sex <input checked="" type="checkbox"/> M <input type="checkbox"/> F	Race W	Height 5'11"
Weight 195		Eyes BRN	

VEHICLE DESCRIPTION					
VIN:					
Tag No.	State	Year	Make	Type	Color
<p>A <input type="checkbox"/> IF BOX A IS CHECKED, YOU MUST APPEAR IN COURT. SEE INSTRUCTIONS (on back of yellow copy)</p> <p>B <input checked="" type="checkbox"/> IF BOX B IS CHECKED, YOU MUST PAY AMOUNT INDICATED BELOW OR APPEAR IN COURT. SEE INSTRUCTIONS (on back of yellow copy)</p> <p>\$ 350 Forfeiture Amount + \$30. Processing Fee</p> <p>\$ 380 Total Collateral Due</p>					

YOUR COURT DATE

(If no court appearance date is shown, you will be notified of your appearance date by mail.)

Court Address	Date (mm/dd/yyyy)
	Time (hh:mm)

My signature signifies that I have received a copy of this violation notice. It is not an admission of guilt. I promise to appear for the hearing at the time and place instructed or pay the total collateral due.

X Defendant Signature:

Viol. No. **F4940327**Defendant: **Shane P. OVERBY**

STATEMENT OF PROBABLE CAUSE

(for issuance of an arrest warrant or summons)

I state that on 8/8/17, while exercising my duties as a law enforcement officer in the judicial District of California, Rogue River-Siskiyou National Forest, I Officer Douglas Potter was patrolling the Star Ranger District. The Rogue River-Siskiyou National Forest is in current severe fire restrictions and absolutely no camp fires are allowed (except in designated camp grounds) pursuant to Forest Order RSF-06-10-00-17-05. As I was traveling south on NF 1040 road near MM 2.5, I observed a WMA tending to a campfire is a dispersed campsite. I then started to pull into the campsite. As I did, the subject, later identified as Shane P. OVERBY, saw me and started to put water on the fire to put it out. I then contacted OVERBY and asked him if he knew of the fire restrictions, OVERBY said he did and that he was very sorry for the fire. I issued OVERBY one citation for "Building, Maintaining an illegal fire". OVERBY was for appologetic for his actions during the contact.

//End of Statement//

The foregoing statement is based upon:

- ☒ my personal observation
☒ my personal investigation
☐ information supplied to me from my fellow officer's observation
☐ other (explain above)

I declare under penalty of perjury that the information which I have set forth above and on the face of this violation is true and correct to the best of my knowledge.

Executed on: **8/8/17**

Date

Officer's Signature

Probable cause has been stated for issuance of a warrant.

Executed on:

Date

U.S. Magistrate Judge

CVB SCAN AUG 14, 2017 12:35

United States District Court
Violation Notice

CVB Location Code

CA48

Violation Number F4940328	Officer Name (Print) D. Potter	Officer No. 1909
YOU ARE CHARGED WITH THE FOLLOWING VIOLATION		
Date and Time of Offense (mm/dd/yyyy) 8/12/17 1815	Offense Charged 36 CFR 261.52(a)	
Place of Offense NF 1040 MP 2.5		

Offense Description:
**Building, Attending, Maintaining
an illegal fire**

DEFENDANT INFORMATION		Phone: (541) 551-0711
Last Name Overby	First Name Shane	Initials P
Street Address 123 ALMOND ST		
City Medford	State OR	Zip Code 97504
Date of Birth (mm/dd/yyyy) 6/6/75		
Drivers License No. 6004182	D.L. State OR	Social Security No. 541087435
Adult <input checked="" type="checkbox"/> Juvenile <input type="checkbox"/>	Sex M	Race W
Height 5'11"	Weight 174	

VEHICLE DESCRIPTION					
Tag No.	State	Year	Make	Type	Color
VIN:					
<p>A <input type="checkbox"/> IF BOX A IS CHECKED, YOU MUST APPEAR IN COURT. SEE INSTRUCTIONS (on back of yellow copy).</p> <p>B <input checked="" type="checkbox"/> IF BOX B IS CHECKED, YOU MUST PAY AMOUNT INDICATED BELOW OR APPEAR IN COURT. SEE INSTRUCTIONS (on back of yellow copy).</p> <p>\$ 350 Forfeiture Amount + \$30 Processing Fee</p> <p>\$ 380 Total Collateral Due</p>					

YOUR COURT DATE	
(If no court appearance date is shown, you will be notified of your appearance date by mail.)	
Court Address	Date (mm/dd/yyyy)
	Time (hh:mm)

My signature signifies that I have received a copy of this violation notice. It is not an admission of guilt. I promise to appear for the hearing at the time and place instructed or pay the total collateral due.

X, Defendant Signature

Viol. No. F4940328 Defendant: Shane P. Overby

STATEMENT OF PROBABLE CAUSE

(for issuance of an arrest warrant or summons)

I state that on 8/12/17, while exercising my duties as a law enforcement officer in the judicial District of California, Rogue River-Siskiyou National Forest, I Officer Douglas Potter was patrolling the Star Ranger District. The Rogue River-Siskiyou National Forest is in current severe fire restrictions and absolutely no camp fires are allowed (except in designated camp grounds) pursuant to Forest Order RSF-06-10-00-16-20. At approximately 1815 I had USFS Firefighter A.J. Panks stop me to inform me that he had observed an unattended campfire at a dispersed campsite located on NF 1040 MP 2.5. Panks also told me fire crews have seen a fire at this campsite every morning for the past several days. I had previously contacted this camp on 8/7/17 and issued VN#F4940327 to Shane OVERBY for having an illegal fire. I pulled into the camp at 1820 and observed OVERBY smoking a cigarette, I told him to put it out, he did. I then asked him about having a fire. OVERBY denied he had one. I then went over to the fire pit and put my hand over it. I could feel the heat emanating from the fire pit, the heat was intense enough to where my hand could not get closer to the heat source that 12-18 inches. I informed OVERBY of my discovery, OVERBY told me it must've been his cousin. I issued OVERBY one citation for "Building, Maintaining, ATTENDING an illegal fire.

//End of Report//

The foregoing statement is based upon:

- ☒ my personal observation
☒ my personal investigation
☐ information supplied to me from my fellow officer's observation
☐ other (explain above)

I declare under penalty of perjury that the information which I have set forth above and on the face of this violation is true and correct to the best of my knowledge.

Executed on: 8/12/17

Date

Douglas Potter

Officer's Signature

Probable cause has been stated for issuance of a warrant.

Executed on:

Date

U.S. Magistrate Judge

CVB SCAN AUG 18, 2017 10:23

AUG 21-01-01